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DE RUEHGB #0401/01 0461845
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R 151845Z FEB 10
FM AMEMBASSY BAGHDAD
TO RUEHC/SECSTATE WASHDC 6632
INFO RUCNRAQ/IRAQ COLLECTIVE

C O N F I D E N T I A L BAGHDAD 000401

SIPDIS

E.O. 12958: DECL: 02/15/2020

TAGS: PGOV KDEM I2

SUBJECT: THE FUTURE OF BAGHDAD'S LOCAL COUNCILS

REF: A. (A) 08 BAGHDAD 562
IB. (B) 07 BAGHDAD 2044
IC. (C) 07 BAGHDAD 2040
ID. (D) 06 BAGHDAD 840

Classified By: PRT Baghdad Team Leader Tom Lynch for reasons 1.4 (b) and (d).

THIS IS A BAGHDAD PRT MESSAGE.

I1. (C) SUMMARY: As the American military drawdown in Iraq progresses, members of Baghdad sub-provincial councils remain anxious. Threats to their positions, salaries, lives and political independence have taken a toll even though legislation approved by parliament on January 25 may deliver some relief. Their institutions -- Neighborhood Councils (NCs) and District Councils (DCs) -- have been associated with the U.S. presence since 2003. The councils' relationships with other governance institutions have grown more difficult as those institutions have stood up and the United States has transferred power to them. However, recent national legislation has guaranteed council members' pensions and employment until local elections are held, probably in the autumn of 2010. Although a U.S. innovation, Baghdad's local councils are likely to survive as legitimate Iraqi institutions. END SUMMARY.

Do Not Abandon Us

2.(C) Members of the local councils have been expressing anxiety and decrying the absence of USG support since early I2009. The local councils were established by Coalition Provisional Authority (CPA) order in 2003, and U.S. military and civilian officials worked with them daily. The U.S. Government spent millions of dollars directly on the local councils and indirectly involved them in hundreds of millions of dollars worth of capital improvement projects. The downsizing of the USG presence means that District Councils (DCs) and Neighborhood Councils (NCs) now work with the GOI, and many council members are complaining loudly. In an October 8, 2009, Washington Post article about the U.S. operational military withdrawal last June, the head of the Sadr City DC, Hassan Shama, complained, "The U.S. Army and the U.S. Embassy have abandoned us."

3.(C) Although this sense of abandonment is largely about politics and access to resources, it is also about security. As Iraqis closely affiliated with the U.S. presence, local council members feel vulnerable. They have paid a heavy price for their service. The vice-chair of the Adhamiyah DC, Omar Rahman Rahmani, (protect accordingly) in northeastern Baghdad), told PRToffs that seven Provincial Council members have been killed, 253 NC or DC members have been killed and three times that number of family members have been killed since 2003, implying that their association with the United States made them vulnerable. When the United States pulls out of the country entirely, Shama claimed, "We

will be killed."

4.(C) (COMMENT: Local council members' perception that they would be targeted specifically has not borne out. Since the June 30, 2009, operational military withdrawal, six assassinations have been attempted (one successful) of local council members, but five assassination attempts (all unsuccessful) have been attempted against members of the Provincial Council (PC). The building housing Baghdad PC and Governorate was devastated by a massive car-bomb on October 125. It seems that terrorists are targeting local governance in general, not local councils in specific. END COMMENT)

Birth of the Local Councils

5.(SBU) In 2003, the CPA created the local councils as a venue for citizens to voice their concerns about the provision of municipal services (ref B). As such, the CPA Oprovision of municipal services (ref B). As such, the CPA created nine District Advisory Councils (DACs, Arabic) majlis beladiyyah) to correspond to the municipal service districts. Each district in turn was divided into neighborhoods, and the CPA then created Neighborhood Advisory Councils (NACs, Arabic - majlis mahali) to serve them. Members of the NACs were chosen by neighborhood caucuses. Each NAC selected a member to represent it on its respective DAC. In turn, DACs then chose members to serve on the Baghdad City Council. The first Baghdad City Council meeting took place in July 2003 and in April 2004, CPA Order 71 formalized the status of the councils as organs of local government. (NOTE: After the end of the CPA, DACs and NACs became simply DCs and NCs ENDNOTE)

6.(SBU) Local councils do not provide essential services. They provide oversight, issue guidance and influence priorities for the service providing agencies (ref A). The Amanat is the primary service provider in the city, but other providers are national ministries, such as Electricity, Health and Education. The role of the NCs and DCs is to identify and communicate local needs to these providers and facilitate communication among these institutions.

A History of Conflict

7.(C) National and provincial elections were held in January 2005 . The Baghdad Provincial Council (PC) that was returned was overwhelmingly dominated by the Supreme Council for the Islamic Revolution in Iraq (now ISCI). This new PC claimed that it was the only legitimate governing body in the province, based on being elected during an official, UN-sanctioned vote (ref C). The PC moved aggressively to monopolize the organs of local government. It installed a former Badr Corps commander as governor; abolished the Baghdad City Council, and replaced the head of the Amanat (ref D). Although the PC did not abolish the local councils, their relationship was openly antagonistic.

8.(C) The Baghdad PC was transformed as a result of the January 2009 provincial elections. ISCI went from holding a commanding majority to holding only three seats. The PM's Da'wa party took over, commanding one seat shy of an absolute majority. The elections also brought into force the Provincial Powers Law (PPL), which replaced CPA Order 71 as the basis for provincial and local government.

9.(C) What was not transformed was the relationship between the PC and local councils, which continues to be difficult. In some ways it has improved. The new PC has explicitly embraced the local councils as extensions of its authority. While, the previous PC viewed the main role of the local councils as project supervision, PC Chairman Kamil al-Zaidi refers to the local councils as the "hands" and "eyes" of the PC. (COMMENT: PRT has observed that the new PC is markedly more active than its predecessor and works harder to reach out to the local councils. END COMMENT.) Yaqoub al-Bakhaty, chair of the Rashid DC, commented to Team Leader that PC

leadership has visited him officially, whereas the previous PC never even called.

10.(C) While the PPL established the PC as the supreme legislative authority in the province, it did not mention the terms "majlis beladiyyah" (DC) or "majlis mahali" (NC). Thus, at the same time it empowered the PC, it removed the basis for legitimacy of DCs and NCs. The PC took on an explicit oversight role, one which the local councils resented. As part of this role, the PC began to review local council members' qualifications. Many DC and NC members lack the requisite educational requirements or participate in prohibited outside employment and the PC has indicated that it will seek to remove them. While the PC portrays this as part of its oversight role, local council members tell PRT that they see it as a ploy to remove opponents of religious parties.

Essential Differences

11.(C) Members of the local councils present themselves as apolitical secularists. The PC, in contrast, is dominated by Shi'a religious parties. The Chair of the Karkh DC Abu Sataar Al Rubaii (protect accordingly) claims that "the Islamic-backed parties are pushing this (conflict) and want total control of the local councils only for power."

12.(C) This religious difference is exacerbated by the fact that local councils and the PC are practicing different kinds of politics. The DCs and NCs were created to provide representation to specific areas of the city. The CPA explicitly prohibited partisan activities and encouraged local councils to be technocrats. The PC, in contrast, was elected on province-wide party lists (both in 2005 and 2009).

Many local council members find party-based politics undemocratic. Jamaal Hleeb Khalaf, Rusafa DC Chair, commented, "Militias became political parties. Terrorists formed many political parties and also ex-Ba'athists formed their own parties. They all figured out that if they did not form political parties they would be left out of the political process. They do not really believe in democracy or understand it." (COMMENT: Even though the local council members may find them distasteful, party politics can hardly be described as undemocratic. END COMMENT)

Money

13.(C) Much of the tension between the PC and the local councils comes down to money. The CPA created the local councils but did not provide them an independent funding mechanism. They were dependent upon a mix of USG funding (Commander's Emergency Response Fund (CERP), Quick Response Funds (QRF) and other funding types) and GOI funding (primarily salaries). Now they are entirely dependent upon GOI funding via the PC. The PC uses this fiscal authority to reinforce its political authority. Further, the local council members want to receive pensions for their service (as former members of the PC have). Uncertainty on this issue has caused personal consternation among the large number of local council members who might lose their jobs to PC-sponsored reform.

14.(C) Money is also at the root of many PC complaints about the local councils. The PC alleges that many members of the local councils are corrupt. Local council members are alleged to have steered reconstruction projects to companies in exchange for kickbacks and to have solicited bribes to certify contractors' performance for the Amanat. PRT has not been able to verify the degree of corruption in project implementation at this level, but this remains a subject of furious disagreement between the PC and local councils.

A Step in the Right Direction

15.(C) On January 25, the Council of Representatives (CoR) passed a law resolving much of this tension. The legislation (The First Amendment to the Law of Governorates) amends the PPL by assuring local council members (using the Arabic terms for NCs and DCs) of pensions for their service and confirming them in their seats until they are replaced by local elections. Although the legislation has not yet been officially published in the CoR Gazette, this is welcome news. As Bakhaty put it, "Now the local councils can breathe."

16.(C) (COMMENT: Some questions remain unresolved regarding the legislation. Although several local council members have described the law very favorably, they may be reading more into it than is written. For instance, the Deputy PC Chairman Dr. Riyadh al-'Adhadh (previously a DC and Baghdad City Council member) informed PRT Baghdad that this legislation would make the DCs and NCs legally equivalent to Qadas and Nahiyas. However, an initial reading of the legislation suggests that this only applies to pensions. END COMMENT)

Comment

17.(C) Baghdad's local councils are here to stay. Although a CPA innovation, the Iraqi government, both provincial and national, has recognized their importance. They provide a needed link between geographic areas, citizens and provincial government. The recent CoR legislation provides an anchor for the DCs and NCs until local elections are held, probably sometime in 2011.

18.(C) PRT Baghdad will continue to meet with members individually and monitor their interaction with the rest of the Iraqi government. However, the nature of our engagement has changed, as it should. For logistical and practical reasons, Baghdad PRT cannot be present in the city or its administration as it was in the past. For political reasons, Baghdad PRT should not. The local council structure has been a successful innovation, but it must now be responsive to the Iraqi government, not the American one. While the U.S. Government retains an ethical stake in the wellbeing of individual council members who worked with the United States during the worst years of conflict, the institutions of local government are now fully Iraqi.

For more information on PRT Baghdad and Baghdad governance, please see our Intellipedia site at:
http://www.intelink.sgov.gov/wiki/PRT_Baghdad
For more information about the Baghdad Provincial Council, please see:
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